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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LINO MURILLO,

Plaintiff,

vs.

BRENDAN MICHAEL GOAD;
CORPORATION OF THE PRESIDING
BISHOP OF THE CHURCH OF JESUS
CHRIST OF LATTER DAY SAINTS; DOES I
through X, inclusive; and ROE
CORPORATIONS I through X, inclusive,

Defendants.

Case No. 2:16-cv-02739-RFB-CWH

**STIPULATION AND [PROPOSED] ORDER
TO EXTEND THE DEADLINE FOR
PRETRIAL DISCLOSURES**

First Request

Defendant Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints (“CPB”), Defendant Brendan Goad (“Elder Goad”) (Elder Goad and CPB are collectively “Defendants”), and Plaintiff Lino Murillo (collectively, the “Parties”) stipulate and agree as follows:

- A. **Whereas**, discovery closed on July 31, 2017. (ECF No. 14 at 3:11.)
- B. **Whereas**, dispositive motions are due on August 29, 2017. (*Id.*)
- C. **Whereas**, pretrial disclosures are due on August 30, 2017. (*Id.*)
- D. **Whereas**, the Parties will be filing one or more dispositive motions.
- E. **Whereas**, although the Parties do not concede that the Court will grant any of their dispositive motions, the Parties agree that it would promote judicial efficiency and economy for pretrial disclosures to be made after the Court rules upon dispositive motions. That ruling could alter the exhibits and witnesses that the parties intend to introduce or call at trial. Extending the pretrial disclosure

1 deadline would conserve the parties' time and resources by streamlining their disclosures, eliminating the
2 need to include documents and witnesses that may not be introduced or called at trial, and ensuring that
3 they do not have to substantially revise their disclosures following the Court's rulings. It also would
4 conserve the parties' time and resources by eliminating the need for the parties to object under FED. R.
5 Civ. P. 26(a)(3)(B) to documents or depositions that may not be used at trial depending upon the Court's
6 rulings.¹

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24 ¹ With respect to (1) the requirement in Rule 26(a)(A)(ii) for the designation of those witnesses
25 whose testimony the party expects to present by deposition and, if not taken stenographically, a transcript
26 of the pertinent parts of the deposition, and (2) the requirement in Rule 26(a)(3)(B) for objecting to a
27 deposition designated by another party under Rule 26(a)(3)(A)(ii), it also should be noted that a
considerable number of witnesses were deposed in this case who reside outside of Nevada and beyond
the Court's subpoena power under Rule 45(c)(1)(A). The Court's rulings on forthcoming dispositive
motions could alter which of these witnesses the parties wish to designate under Rule 26(a)(A)(ii).

1 **WHEREFORE**, the Parties stipulate and agree that pretrial disclosures shall be due two weeks
2 after the date upon which the Court issues a written ruling on all forthcoming, dispositive motions. The
3 Parties further stipulate and agree that the current deadline for filing the joint pre-trial order of October
4 2, 2017 be extended and due 30 days after the filing of pretrial disclosures.

5 IT IS SO STIPULATED August 15, 2017.

6 CARBAJAL & MCNUTT, LLP

MORRIS LAW GROUP

7 /s/ Matt Wolf

/s/ Raleigh Thompson

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13 LAW OFFICE OF JULIE MERSCH

14 /s/ Julie Mersch

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16 Las Vegas, Nevada 89101

17 Attorneys for *Plaintiff*

18 **IT IS SO ORDERED:**

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21 UNITED STATES MAGISTRATE JUDGE

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23 DATED: August 16, 2017
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